



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

Regulatory Branch (1145b)
Post Office Box 6898
Elmendorf AFB, Alaska 99506-6898

PUBLIC NOTICE DATE: 28 April 2004

EXPIRATION DATE: 13 May 2004

REFERENCE NUMBER: POA-1989-26-N

WATERWAY NUMBER: Salt House Cove 1

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States as described below and shown on the attached plan.

APPLICANT: City of Akutan, 3380 C Street, Suite 205, Anchorage, Alaska 99503.

LOCATION: Salt House Cove in Akutan Harbor, Section 11, Township 70 South, Range 112 West, Seward Meridian, 54°08' North, 165°46' West.

WORK: Modify the existing permitted docking facility (M-1989-0026) to include the addition of approximately 50 linear feet of sheet-pile wave barrier angled shoreward from the existing wave barrier. Sheet-pile structure will include a 3-foot wide walkway with handrail. A U-shaped floating dock structure (23 feet by 17 feet outside dimension) will be attached to the sheet pile wall. Additional features include 6 fender pile and end dolphin. Sheet-pile structure, no additional in-water fill materials added to water bottom.

PURPOSE: By installing the wave barrier extension, the small boat-mooring basin will be partially protected from waves reflected from the head of Akutan Harbor.

ADDITIONAL INFORMATION: Agent for the applicant is Tryck Nyman Hayes, Inc. Point of contact is Mr. Ted Trueblood at (907) 279-0543.

COASTAL ZONE MANAGEMENT ACT CERTIFICATION: Section 307(c)(3) of the Coastal Zone, Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3), requires the applicant to certify that the described activity affecting land or water uses in the Coastal Zone complies with the Alaska Coastal Management Program. A permit will not be issued until the Office of Project Management and Permitting, Department of Natural Resources has concurred with the applicant's certification. Previous modification "M" received "Final Consistency Determination" on October 13, 2000. Reference State ID NO. AK 0008-18AA.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are two unevaluated properties in the vicinity of the worksite. They have been designated UNI-004, Akutan Village (Achanngega) and UNI-028, St. Alexander Nevsky Chapel. The original permit evaluation, Public Notice (2-1989-0026), indicated that UNI-028 may be near the project area. Subsequent consultation with the State Historic Preservation Officer (SHPO) resulted in a determination of No Effect in May 1990. This application for a modification within the same project area is being coordinated with SHPO. Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

TRIBAL CONSULTATION: The Alaska District fully supports tribal self-governance and government-to-government relations between the Federal government and Federally recognized Tribes. This notice invites participation by agencies, Tribes, and members of the public in the Federal decision-making process. In addition, Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Alaska District on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This Public Notice serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the Federal decision-making process regarding the protected Tribal right or resource. Consultation may be initiated by the affected Tribe upon written request to the District Engineer during the public comment period.

ENDANGERED SPECIES: The project area is within the known or historic range of the Stellar's eider. Preliminarily, the described activity will not adversely affect threatened or endangered species, or their critical habitat designated as endangered or threatened, under the Endangered Species Act of 1973 (87 Stat. 844), providing in-water work is completed between April 1 and October 31, when the species is not present (also Special Condition of M-1989-0026, issued May 21, 2001). This application is being coordinated with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: The proposed work is being evaluated for possible effects to Essential Fish Habitat (EFH) pursuant to the Magnuson Stevens Fishery Conservation and Management Act of 1996 (MSFCMA), 16 U.S.C. et seq and associated federal regulations found at 50 CFR 600 Subpart K. The Alaska District includes areas of EFH as Fishery Management Plans. We have reviewed the January 20, 1999, North Pacific Fishery Management Council's Environmental Assessment to locate EFH area as identified by the National Marine Fisheries Service (NMFS).

We have determined that the described activity within the proposed area will not adversely affect EFH, including anadromous fish and federally managed fishery resources. The project area falls within the general distribution areas, as identified in NPFMC EA, for Pacific halibut, skate, yellowfin sole, Alaska plaice, flathead sole, Atka mackerel, rock sole, sculpin, Pacific cod, walleye pollock juveniles and eggs, tanner crab larvae, red crab larvae, red crab spawners, and golden crab LJM and eggs. This project involves in-line sheet-pile placement, floating dock structure, and does not involve fill materials placed on the water bottom. Project will connect to existing sheet pile wall. Nearshore fish passage, as provided in previous permit conditions, will not be impacted.

This Public Notice initiates consultation requirements with the NMFS under the MSFCMA. We have insufficient information at this time to assess the cumulative effects of the proposed work on EFH, but cumulative effects will be considered in our final assessment of the described work. Any conservation recommendations regarding EFH for federally managed fish will also be considered in our final assessment of the described work.

SPECIAL AREA DESIGNATION: None.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Mr. Medrick Northrop at (907) 753-2724, toll free from within Alaska at (800) 478-2712, or by e-mail at Medrick.R.Northrop@poa02.usace.army.mil, if further information is desired concerning this notice.

AUTHORITY: This permit will be issued or denied under the following authority:

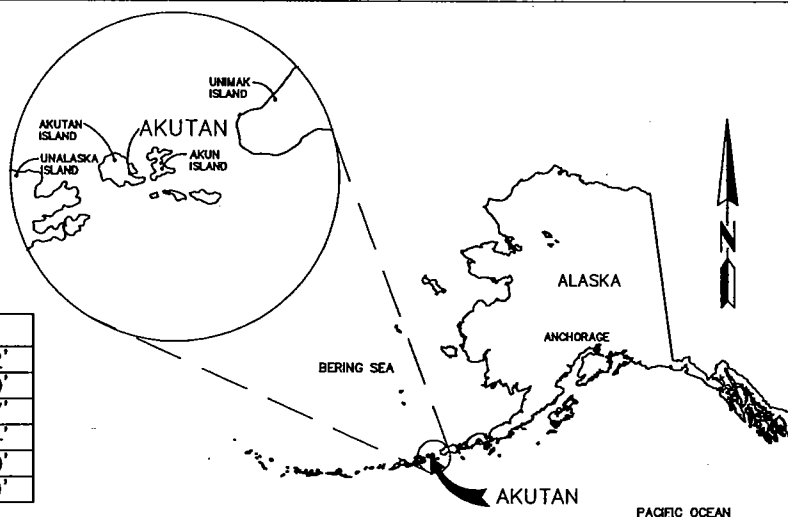
Perform work in or affecting navigable waters of the United States -
Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

A plan and Notice of Application for Certification of Consistency with the
Alaska Coastal Management Program is attached to this Public Notice.

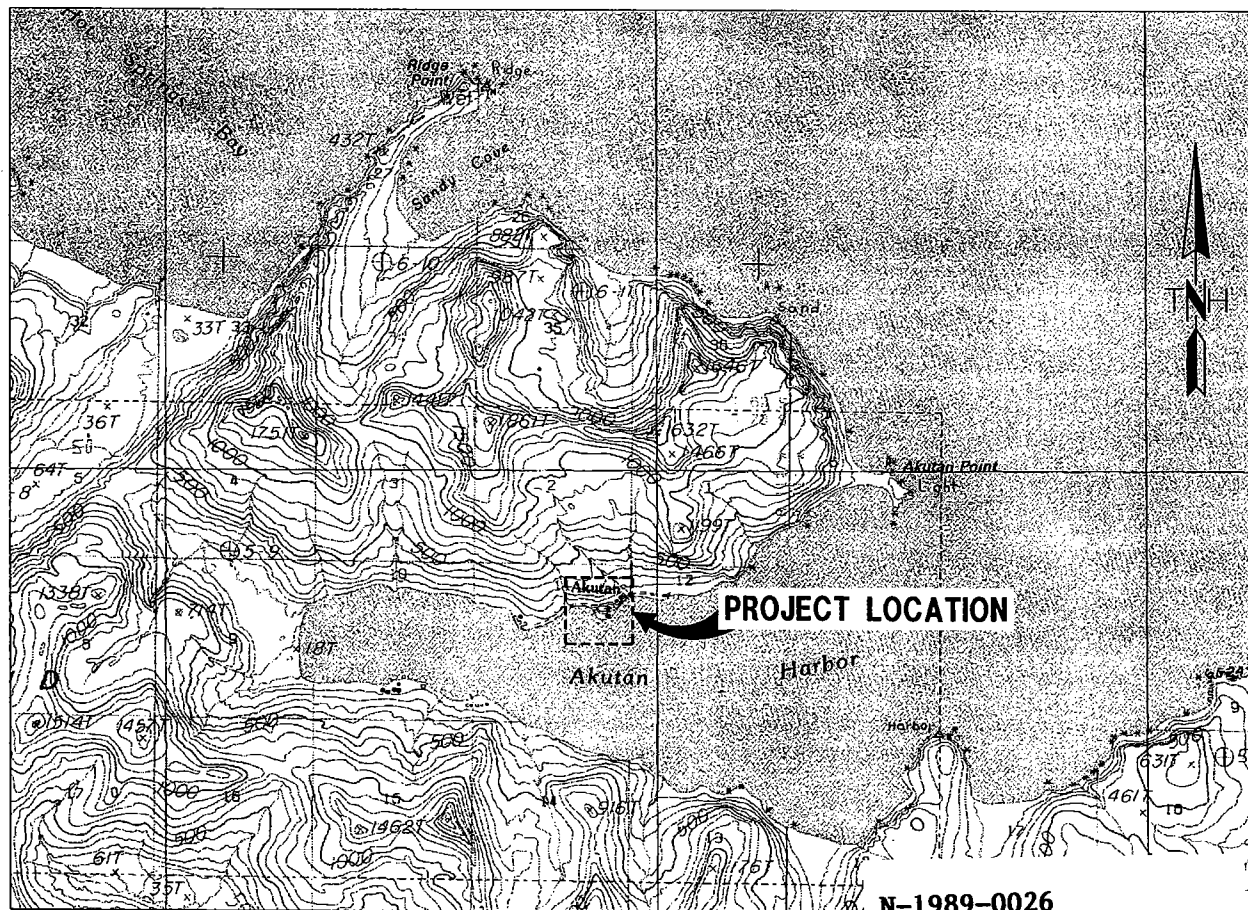
District Engineer
U.S. Army, Corps of Engineers

Attachments

TIDAL INFORMATION	
HIGHEST OBSERVED	7.2'
MEAN HIGH HIGH WATER (M.H.H.W.)	4.0'
HIGH TIDE LINE (HTL)	4.7'
MEAN TIDE LINE (M.T.L.)	2.4'
MEAN LOW LOW WATER (M.L.L.W.)	0.0'
LOWEST OBSERVED	-2.9'



APPROXIMATE LATITUDE AND LONGITUDE
54°08'N, 165°46'W



PURPOSE: CITY DOCK MOORAGE EXPANSION
PERMIT: M-890026,
SALT HOUSE COVE 1

DATUM: MLLW=0.0

ADJACENT PROPERTY OWNERS:

UPLANDS: R.O. CHURCH OF AK

TRIDENT SEAFOODS

OFFSHORE: CITY OF AKUTAN
STATE OF ALASKA

VICINITY MAP



SCALE: N.T.S.

CITY OF AKUTAN
3380 C STREET, SUITE 205
ANCHORAGE, ALASKA

AKUTAN HARBOR

IN: SALT HOUSE COVE
AT: AKUTAN, ALASKA

APPLICATION BY:

CITY OF AKUTAN

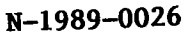
3380 C STREET, SUITE 205

ANCHORAGE, AK 99503

SHEET: 1 OF 7 DATE: 8-4-00



NOTE 1:
NEW MOORING RAILS PER:
SIM LOCATIONS SHN ARE
APPROX. -- PLACE ON
INSIDE OF FLUTES.



PROPOSED MOORAGE EXPANSION



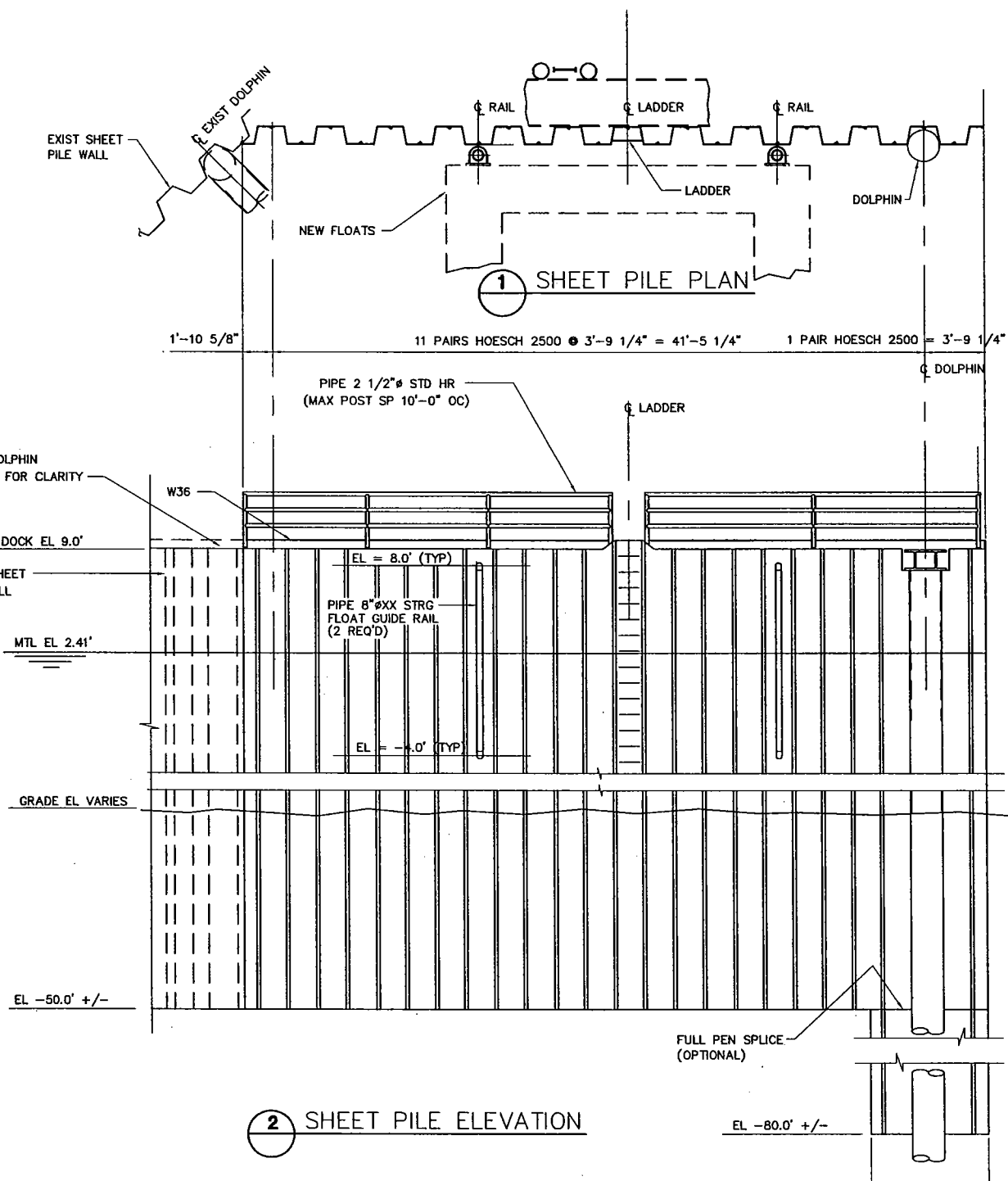
SCALE: N.T.S.

CITY OF AKUTAN
3380 C STREET, SUITE 205
AKUTAN, ALASKA

AKUTAN HARBOR

IN: SALT HOUSE COVE
AT: AKUTAN, ALASKA

APPLICATION BY:
CITY OF AKUTAN
3380 C STREET, SUITE 205
ANCHORAGE, AK 99503
SHEET: 2 OF 7 DATE: 8-4-00



N-1989-0026

PURPOSE: CITY DOCK MOORAGE EXPANSION
 PERMIT: M-890026,
 SALT HOUSE COVE 1

DATUM: MLLW=0.0

ADJACENT PROPERTY OWNERS:

UPLANDS: R.O. CHURCH OF AK
 TRIDENT SEAFOODS

OFFSHORE: CITY OF AKUTAN
 STATE OF ALASKA

SHEET PILE PLAN AND ELEV



SCALE: N.T.S.

CITY OF AKUTAN
 3380 C STREET, SUITE 205
 ANCHORAGE, ALASKA

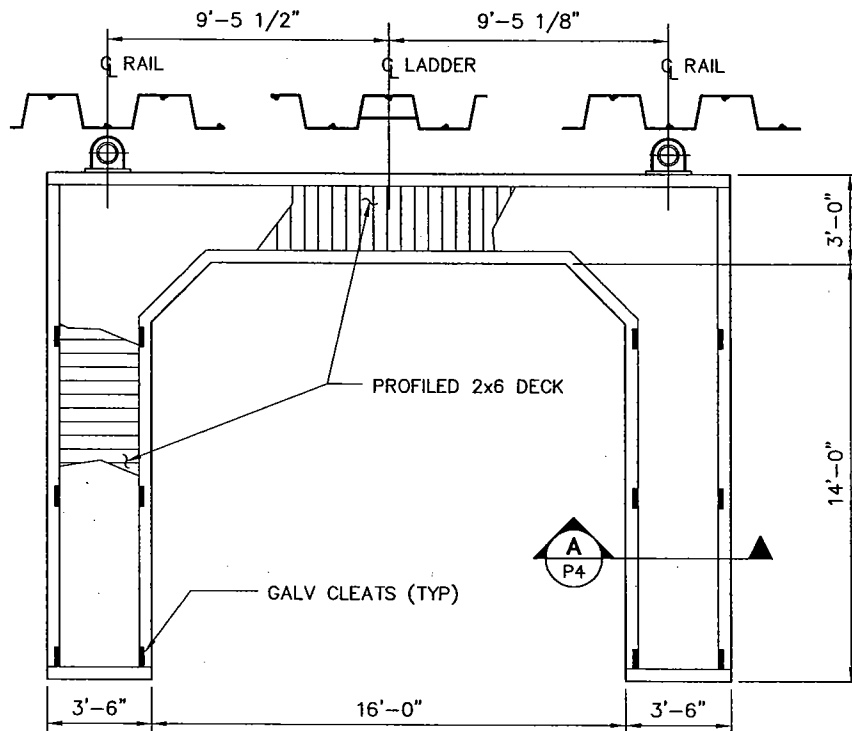
AKUTAN HARBOR

IN: SALT HOUSE COVE
 AT: AKUTAN, ALASKA

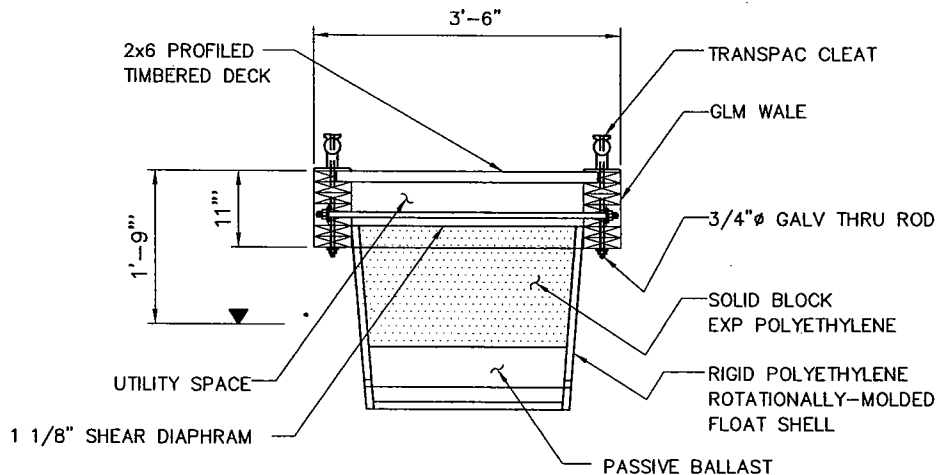
APPLICATION BY:

CITY OF AKUTAN
 3380 C STREET, SUITE 205
 ANCHORAGE, AK 99503

SHEET: 3 OF 7 DATE: 8-4-00



1 FLOAT PLAN



A FLOAT SECTION

N-1989-0026

PURPOSE: CITY DOCK MODIFICATIONS
PERMIT: M-890026,
SALT HOUSE COVE 1

DATUM: MLLW=0.0
ADJACENT PROPERTY OWNERS:
UPLANDS: R.O. CHURCH OF AK
TRIDENT SEAFOODS
OFFSHORE: CITY OF AKUTAN
STATE OF ALASKA

FLOAT PLAN AND SECTION



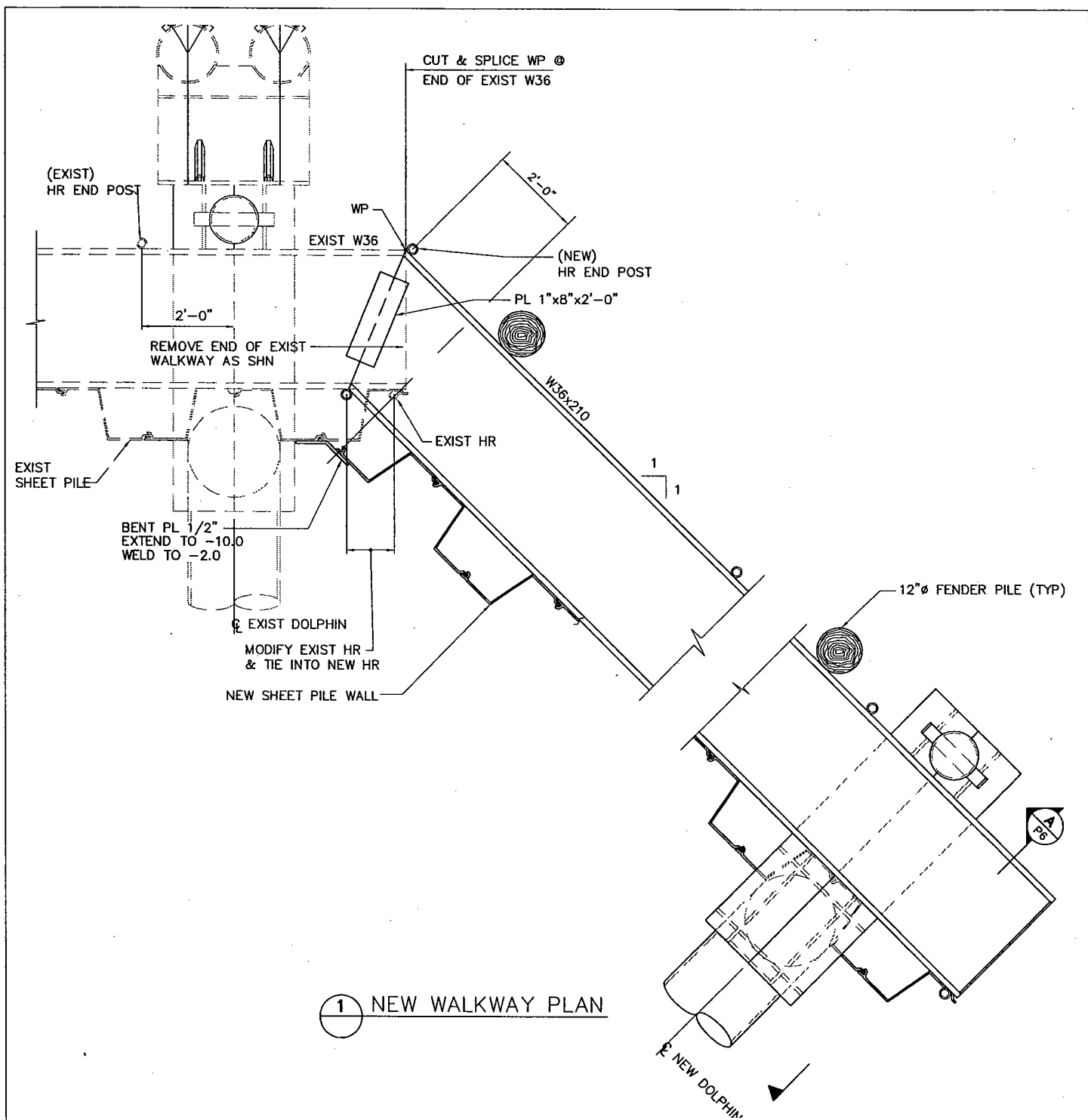
SCALE: N.T.S.

CITY OF AKUTAN
3380 C STREET, SUITE 205
AKUTAN, ALASKA

AKUTAN HARBOR

IN: SALT HOUSE COVE
AT: AKUTAN, ALASKA

APPLICATION BY:
CITY OF AKUTAN
3380 C STREET, SUITE 205
ANCHORAGE, AK 99503
SHEET: 4 OF 7 DATE: 8-4-00



1 NEW WALKWAY PLAN

N-1989-0026

PURPOSE: CITY DOCK MOORAGE EXPANSION
PERMIT: M-890026,
SALT HOUSE COVE 1

DATUM: MLLW=0.0

ADJACENT PROPERTY OWNERS:

UPLANDS: R.O. CHURCH OF AK

TRIDENT SEAFOODS

OFFSHORE: CITY OF AKUTAN
STATE OF ALASKA

NEW WALKWAY PLAN



SCALE: N.T.S.

CITY OF AKUTAN
3380 C STREET, SUITE 205
ANCHORAGE, ALASKA

AKUTAN HARBOR

IN: SALT HOUSE COVE
AT: AKUTAN, ALASKA

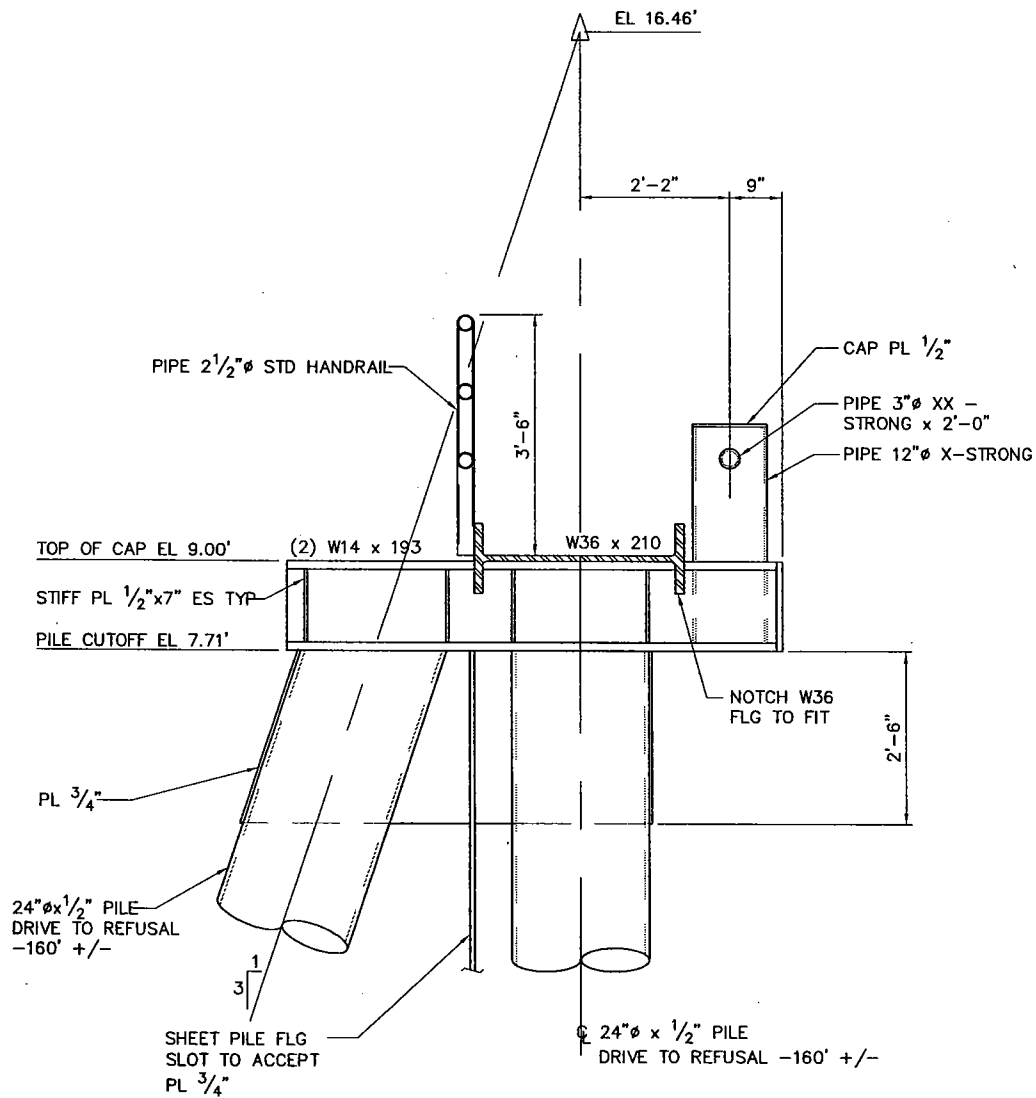
APPLICATION BY:

CITY OF AKUTAN

3380 C STREET, SUITE 205

ANCHORAGE, AK 99503

SHEET: 5 OF 7 DATE: 8-4-00



1 SECTION

N-1989-0026

PURPOSE: CITY DOCK MOORAGE EXPANSION
PERMIT: M-890026,
SALT HOUSE COVE 1

DATUM: MLLW=0.0
ADJACENT PROPERTY OWNERS:
UPLANDS: R.O. CHURCH OF AK
TRIDENT SEAFOODS
OFFSHORE: CITY OF AKUTAN
STATE OF ALASKA

DOLPHIN SECTION



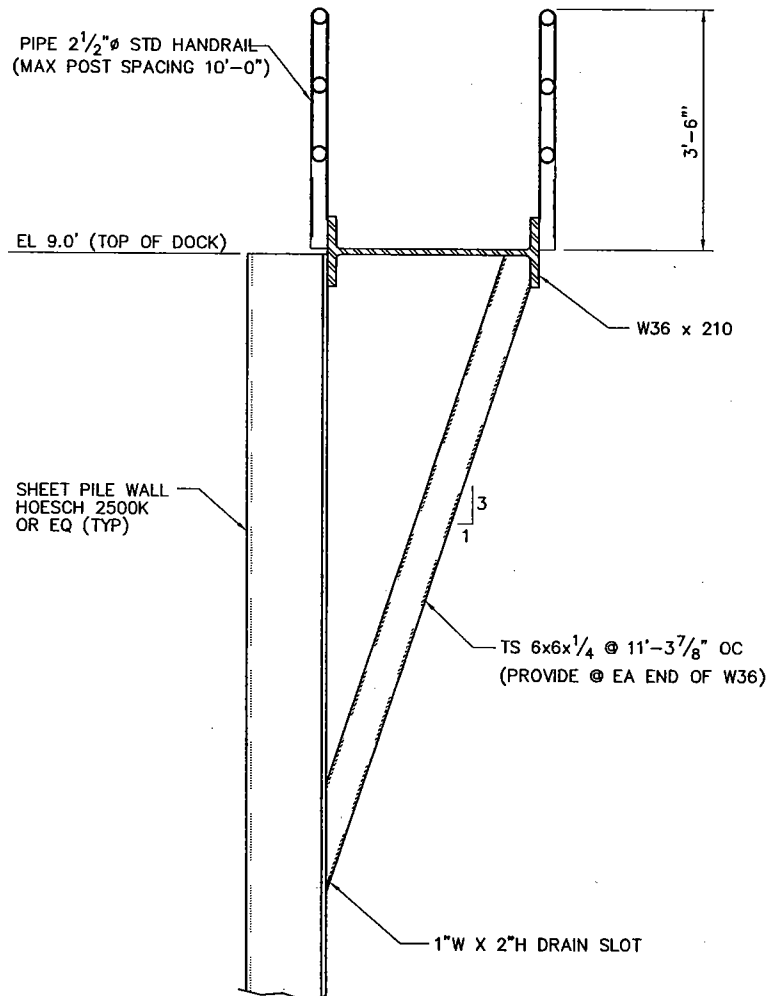
SCALE: N.T.S.

CITY OF AKUTAN
3380 C STREET, SUITE 205
ANCHORAGE, ALASKA

AKUTAN HARBOR

IN: SALT HOUSE COVE
AT: AKUTAN, ALASKA

APPLICATION BY:
CITY OF AKUTAN
3380 C STREET, SUITE 205
ANCHORAGE, AK 99503
SHEET: 6 OF 7 DATE: 8-4-00



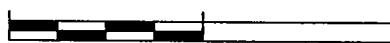
1 SECTION

N-1989-0026

PURPOSE: CITY DOCK MOORAGE EXPANSION
 PERMIT: M-890026,
 SALT HOUSE COVE 1

DATUM: MLLW=0.0
 ADJACENT PROPERTY OWNERS:
 UPLANDS: R.O. CHURCH OF AK
 TRIDENT SEAFOODS
 OFFSHORE: CITY OF AKUTAN
 STATE OF ALASKA

SECTION



SCALE: N.T.S.

CITY OF AKUTAN
 3380 C STREET, SUITE 205
 ANCHORAGE, ALASKA

AKUTAN HARBOR

IN: SALT HOUSE COVE
 AT: AKUTAN, ALASKA

APPLICATION BY:
 CITY OF AKUTAN
 3380 C STREET, SUITE 205
 ANCHORAGE, AK 99503
 SHEET: 7 OF 7 DATE: 8-4-00

STATE OF ALASKA

OFFICE OF THE GOVERNOR

**DEPARTMENT OF NATURAL RESOURCES
OFFICE OF PROJECT MANAGEMENT AND PERMITTING**

OFFICE OF PROJECT MANAGEMENT AND PERMITTING
302 GOLD STREET, SUITE 202
JUNEAU, ALASKA 99801-1127
PHONE: (907) 465-3562/FAX: (907) 465-3075

**NOTICE OF APPLICATION
FOR
CERTIFICATION OF CONSISTENCY WITH THE
ALASKA COASTAL MANAGEMENT PROGRAM**

Notice is hereby given that a request is being filed with the Office of Project Management and Permitting for a consistency determination, as provided in Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended [16 U.S.C. 1456(c)(3)], that the project described in the Corps of Engineers Public Notice No. **POA 1989-26-N**, will comply with the Alaska Coastal Management Program and that the project will be conducted in a manner consistent with that program.

This project is being reviewed for consistency with the Alaska Coastal Management Program. Written comments about the consistency of the project with the applicable ACMP statewide standards and district policies must be submitted to the Office of Project Management and Permitting. For information about this consistency review, contact OPMP at (907) 269-7470 or (907) 465-3562, or visit the ACMP web site at <http://www.gov.state.ak.us/gdc/Projects/projects.html>.